

PTO/PCY Rec'd 25 JAN 2001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Michael S. Parmacek
Julian Solway

Serial No.: 09/381,750

Filed: September 22, 1999

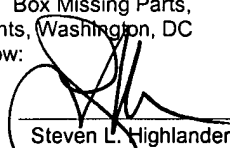
For: PROMOTER FOR SMOOTH MUSCLE
CELL EXPRESSION



Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: ARCD:333--1/MBW

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:	
January 22, 2001	
Date	
Steven L. Highlander	

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated September 20, 2000, there are enclosed herewith:

- (a) Declaration executed on behalf of Michael S. Parmacek and Julian Solway;
- (b) A Power of Attorney on behalf of ARCH DEVELOPMENT CORPORATION;
- (c) A Declaration Claiming Small Entity Status executed on behalf of ARCH DEVELOPMENT CORPORATION;

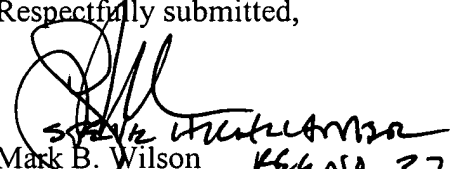
- (d) Our check in the amount of \$760.00 to cover the surcharge for late filing (\$65.00) and four month extension of time fee (\$695.00);
- (e) A copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
- (f) A Request for Extension of Time of four months to and including January 22, 2001. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to ARCH DEVELOPMENT CORPORATION and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10008078/MBW.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,


For 2 Mark B. Wilson Reg. No. 37,259
Attorney for Applicants
K&L No. 37,642

01/30/2001 MNGUYEN 00000022 09381750

01 FC:254

65.00 OP

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: January 22, 2001

AKCD
333--1



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

Wim

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/381750	PARMACEK	ARCDE;333-1/WIM
INTERNATIONAL APPLICATION NO.		
PCT/US97/16204		
I.A. FILING DATE	PRIORITY DATE	
29 AUG 1997	7 OCT 1996	
DATE MAILED: 30 SEP 2000		

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EDDY MONTY SIMON ARNOLD & WHITE
SEP 25 2000
HOUSTON DISTRICT DEPT.

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☐ a non-English language.

☒ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventor(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed _____ and _____

☐ Information Disclosure Statement(s) filed _____ and _____

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed _____

☐ Verified Statement Claiming Small Entity Status.

☐ Priority Document.

☐ Copy of the International Search Report ☐ and copies of the references cited therein

☐ Other:

DOCKETED ☒ UPDATED ☐

Previously _____ Not Required _____

Appl. Info _____

Reg/Grant Info _____

Action Required: Not needed

Date Due/Done: 2-8-00

By: 8 Checked: EB

F&J

RECEIVED OK

Noted: Reasons to

Notice of Missing

SEP 27 2000

ARC'D:053-1

PAR- WIM-SHS-PPG

initials: CLC

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

SHELBY VIGIL, PARALEGAL

Telephone: 703-305-3653

SHD